

13.06.2025
Serial no. 4
[G.S.D]

**CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI**

CRM (NDPS) 229 of 2025

In re : An Application for **Bail** under Section **483** of the BNSS, 2023 in connection with **NDPS Case No. 61 of 2024 arising out of New Jalpaiguri P.S. GRPS Case No. 76 of 2024 dated 25.09.2024 under Sections 8(c)/20(b)(ii)(c)/29 of the NDPS Act, 1985.**

-And-

In the matter of : Rekha Devi

... Petitioner(s)

Mr. Hillol Saha Podder
Ms. Mousumi Das

... for the petitioner(s)

Mr. A. S. Chakraborty, Id. APP
Mr. Sourav Ganguly

... for the State

The petitioner is in custody since 25th September, 2024 and the prosecution's case reflects that 23.020 kg of contraband/ganja were recovered from the joint possession of the petitioner and others.

Learned advocate for the State submits that commercial quantity of contraband has been seized as such the petitioner should not be released on bail as there is need for custodial interrogation.

I have considered the submissions of the learned advocate for the petitioner as well as that of the State and having regard to the period of detention and the quantum so seized, I am of the view that further detention of the petitioner is unwarranted.

Accordingly the prayer for bail of the petitioner is **Allowed** with conditions that the petitioner would furnish bond to the satisfaction of the learned Special Court under the NDPS Act, Jalpaiguri with one local surety who resides within the jurisdiction of the learned Special Court. The quantum of bond would be fixed by the learned Special Court. It is categorically stated that the local surety must be of a person who would furnish title deed of a property which would be kept in custody of the court till the trial of the case is over. It is also directed that the petitioner would also make herself physically available on each and every date of the trial so fixed by the learned trial court and shall cooperate with the learned trial court in progress of the trial of the case.

It is further directed that, in case, there is any violation of the conditions of bail, the learned Special Court would forfeit the property which is furnished by way of local surety. Learned Special Court is also directed that in case of any non-compliance of the aforesaid conditions, the learned

Special Court would be at liberty to cancel the bail without further reference to this Court.

The Superintendent of Police, Jalpaiguri would take up the issue relating to furnishing of FSL Report by the Director of the testing laboratory. Since the expert's report is pending for a considerable period of time, the concerned laboratory would ensure that within a period of 30 days from the date of communication made by the Superintendent of Police, Jalpaiguri, the report is handed over either to the investigating officer and/or furnished before the learned Special Court.

Accordingly, CRM(NDPS) 229 of 2025 is disposed of.

Pending application(s), if any, is also disposed of.

Parties to act on a server copy of this order duly collected from the official website of the Hon'ble High Court, Calcutta.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Tirthankar Ghosh, J.)

